

UNITED STATES OF AMERICA
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED - GR
June 17, 2021 9:50 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY: tlb SCANNED BY: TBG/7/21

LARRY DARNELL JONES

1:21-cv-506

Paul L. Maloney - U.S. District Judge
Sally J. Berens - U.S. Magistrate Judge

Plaintiff,

v.

HON:
Docket No.

Complaint
Civil Right Action with Jury Demand

1. DEFENDANT REGIONAL MANAGER OF SECURITY ZACHARY JENKINS, NO.1., IS SUED IN HIS INDIVIDUAL CAPACITY AS AN EMPLOYEE OF O'BRIEN AND ASSOCIATE SECURITY AND INVESTIGATIONS, EMPLOYED AT THE MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON MICHIGAN 49444.
2. DEFENDANT ASSISTANT GENERAL MANAGER ROBERT JAMES SAENA, NO. 2, IS SUED IN HIS INDIVIDUAL CAPACITY AS AN EMPLOYEE AT THE MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON MICHIGAN 49444.
3. DEFENDANT EMPLOYEE OF MENARDS DANIEL RALPH HERRERA, NO. 3., IS SUED IN HIS INDIVIDUAL CAPACITY AS AN EMPLOYEE AT THE MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON MICHIGAN 49444.
4. DEFENDANT EMPLOYEE OF MENARDS DARRELL JAMES SMITH, NO. 4., IS SUED IN HIS INDIVIDUAL CAPACITY AS AN EMPLOYEE AT THE MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON MICHIGAN 49444.
5. DEFENDANT NORTON SHORES POLICE OFFICER PEYTON E. HANEY, NO. 5., IS BEING SUED IN HER INDIVIDUAL CAPACITY AS A POLICE OFFICER FOR THE NORTON SHORES POLICE DEPARTMENT, LOCATED AT 4814 HENRY STREET, SUITE 1, NORTON SHORES, MICHIGAN 49441
6. DEFENDANT NORTON SHORES POLICE SERGEANT TODD R. BAKER, NO.6., IS BEING SUED IN HIS INDIVIDUAL CAPACITY AS A POLICE SERGEANT FOR THE NORTON SHORES POLICE DEPARTMENT, LOCATED AT 4814 HENRY STREET, SUITE 1, NORTON SHORES, MICHIGAN 49441
7. DEFENDANT NORTON SHORES POLICE LIEUTENANT MARC D. VANDERSTELT, NO.7., IS BEING SUED IN HIS INDIVIDUAL CAPACITY AS A POLICE LIEUTENANT FOR THE NORTON SHORES POLICE DEPARTMENT, LOCATED AT 4814 HENRY STREET, SUITE 1, NORTON SHORES, MICHIGAN 49441

8. DEFENDANT NORTON SHORES CITY ADMINISTRATOR MARK C. MEYERS, NO.8., IS BEING SUED IN HIS INDIVIDUAL CAPACITY AS CITY ADMINISTRATOR FOR THE NORTON SHORES POLICE DEPARTMENT, LOCATED AT 4814 HENRY STREET, SUITE 1, NORTON SHORES, MICHIGAN 49441

9. DEFENDANT EMPLOYEE OF MENARDS JENNIFER (A.K.A. JEN) LAST NAME UNKNOWN, NO.9., IS SUED IN HER INDIVIDUAL CAPACITY AS AN EMPLOYEE OF MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON, MICHIGAN 49444.

10. DEFENDANT EMPLOYEE OF MENARDS HUNTER CZINDER, NO.10., IS SUED IN HIS INDIVIDUAL CAPACITY AS AN EMPLOYEE OF MENARDS LOCATED AT 5487 HARVEY ST., MUSKEGON MICHIGAN 49444.

Defendants.

**I.
COMPLAINT**

NOW COMES, the Plaintiff, **LARRY DARNELL JONES**, in pro per, by and through his complaint, pursuant to 42 U.S.C § 1983; and sue the above named Defendants for violating his First Amendment Rights to Petition the Government for the Redress of Grievances, to Peacefully Assemble, (free association) to Practice his ***SON OF MAN*** Secular Religious Beliefs, and to be free from Retaliations once the Defendants in violation of the Fourth Amendment arrested the plaintiff in violation of MCL § 764.16(d) The Plaintiff also assert supplemental jurisdiction pursuant 28 U.S.C. § 1367(a), to the applicable statute that authorizes the Federal Court to address all state law claims. Pursuant to the 14th Amendment of the United States Constitution, the defendants violated the Plaintiff's due process under § 1.

**II.
JURISDICTION**

Federal district courts have original jurisdiction over "all civil actions arising under the constitution laws or treaties of the United States" See 28 U.S.C. § 1331; 28 U.S.C. § 1343(3), provides; the district court shall have original jurisdiction of any civil action authorized by law to be commenced by any person: (3) to redress the deprivation, under color of any state law, statute, ordinance.

**III.
AMOUNT IN CONTROVERSY**

The amount in controversy is Five Hundred Million Dollars (**\$500,000,000**) in this action exceeds the statutory limitations 28 U.S.C. §1332(a). The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of 50,000, exclusive of interest and costs.

STATEMENT OF FACTS

On Wednesday, December 9th, 2020, Plaintiff Larry Darnell Jones, along with Frederick Lee Banks arrived at Menards, located at 5487 Harvey Street, in Muskegon, Michigan. The Plaintiff entered the store at approximately 12:30 HOURS, once inside, the Plaintiff and Mr. Banks went separate ways to gather the items they needed. The Plaintiff, checked out with cashier Nemar, at 12:37 HOURS the Plaintiff paid for six (6) items with an in-store credit voucher. See Attached (Plaintiff Exhibit No. 1; Receipt time stamped at 12:37 HOURS on December 9th, 2020.)

Use Your  2%
 AND CARD NUMBER
MENARDS

MENARDS - MUSKEGON
5487 HARVEY STREET
MUSKEGON, MI 49444

KEEP YOUR RECEIPT
 RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below all refundable returns for
 items on this receipt will be in the form
 of an in-store credit voucher if the
 return is done after 03/08/21

If you have questions regarding the
 charges on your receipt, please
 email us at:
MSKfrontend@menards.com



Sale Transaction

MI 24 SW/100PLATE	
3713005 2 00.00	1.00
MI 1106/WOODR MI PLATE	
3713323	1.40
MI 16 DECOR PLATE	
3713187 2 00.40	0.80
MI 20 DECOR PLATE	
3713213	0.00
TOTAL	4.64
TAX STATE OF MI 0%	0.29
TOTAL SALE	5.13
CERTIFICATE-BARGAINED	5.13
*****0000	
Remaining Balance: \$29.32	
TOTAL NUMBER OF ITEMS =	6
THANK YOU, YOUR CASHIER, Nemar	
40411 00 3077 12/09/20 12:37PM 3162	

As the Plaintiff completed his transaction, he then exited the store where he met up with Frederick Banks, outside. Once outside, the Plaintiff, and Frederick L. Banks, were approached by Regional Manager, Defendant Zachary Jenkins, No.1., DEFENDANT ASSISTANT

GENERAL MANAGER ROBERT JAMES SAENA, NO. 2., DEFENDANT EMPLOYEE OF MENARDS DANIEL RALPH HERRERA, NO. 3 and DEFENDANT EMPLOYEE OF MENARDS DARRELL JAMES SMITH, NO. 4., all four defendants surrounded the Plaintiff and Mr. Banks, forcing them back inside the store. Defendant Zackary Jenkins, stated who he was and indicated that the Plaintiff and Frederick L. Banks, were caught on surveillance camera stealing and would need to follow him back inside the store. The Plaintiff Larry Darnell Jones, asked Defendant Zackary Jenkins, No. 1, if he was placing him under arrest. Defendant Zackary Jenkins, replied, "YES". The Plaintiff asked Defendant Zachary Jenkins, numerous times, (but was denied) if he was free and able to leave. Defendant Jenkins answered "NO". After Defendant Jenkins and others secured the Plaintiff in the security room they proceeded to block the doorway and refused to allow plaintiff to leave while falsely accusing the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights. Norton Shores Police Department was called and Defendant Officer Peyton Haney, No. 5, arrived on the scene. Once Defendant Peyton Haney arrived, a civil restitution was given to Frederick Banks, and he was released. See attached (Exhibit No.2; Michigan Civil Restitution Demand Notice); and See attached (Exhibit No. 3; Picture ID for Frederick L. Banks)

Marand, Inc. Case Number: 3102 - 120920 - 1251
(Store #) (Date of Incident) (Officer ID #)

Michigan Civil Restitution Demand Notice

We have cause to believe that on 12/09/20 you, Frederick Banks, committed retail fraud in the
(Date) (Name of Suspect)
 first, second, or third degree by concealing merchandise in our store or in
(Description of action and property involved)
 its immediate vicinity.

State law authorizes us to demand in writing that you do all of the following, as applicable:

- ☐ Return the property in salable condition or pay to us \$_____, which represents the full retail price or the remaining balance of the full retail price of the property.
- ☐ Pay to us \$_____, which represents the full retail price of the recovered property that is not in salable condition.
- ☒ Pay to us civil damages in an amount equal to 10 times the retail price of the property involved, but not less than \$50.00 or more than \$200.00, resulting a total amount of \$ 200.

This notice is a formal demand for return of the property involved, if applicable, and the payment of the amounts indicated above, equalling a total amount of \$ 200. If you return any unrecovered property and pay the amounts indicated above to us within 30 days after the date this notice was issued, we will not take any further civil action against you.

You are not required to respond to this demand if you believe that you or your minor child is not guilty of committing retail fraud or if you choose not to respond. If you fail to comply with this demand, we will be authorized by state law to bring a civil action against you to determine your legal responsibility for the return of any unrecovered property and the payment of the amounts indicated above plus the cost of the action, including reasonable attorney's fees.

These civil proceedings do not prevent criminal prosecution for the alleged act of retail fraud.

Please send your check or money order to: **Marand, Inc.**
 Civil Restitution, CID Security Department

Any questions regarding this matter should be addressed to the "Marand Civil Restitution Coordinator". Feel free to call 716-676-4000, Monday - Friday during normal business hours.

Signature of Subject _____ Date _____ Time _____
 (Your signature indicates only that you have received a copy of this notice and the referenced statute).
12/09/20
 Date Prepared _____ Time _____

PLEASE CUT OFF THIS BOTTOM PORTION AND SEND IN WITH YOUR PAYMENT

Today's Date: _____ Marand, Inc. Case Number: 3102 - 120920 - 1251
 Marand's Location (city) incident occurred at: Muskegon Date of Incident: 12/09/20

Personal Information:

Frederick Banks
(Your Name)

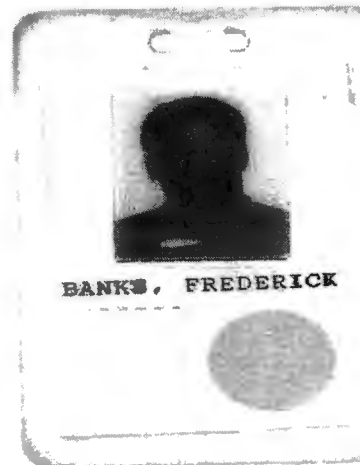
(Your Address - Apartment Number)

(Your City, State, Zip Code)

Amount enclosed: \$ _____
 Check Payment Option

- ☐ Cash
☐ Check
☐ Money Order

1. When payment is made the same day, this portion of the form will be filled out completely and attached to the Incident Report. 2. When payment is made at a later day of the store, this portion of the form will be filled out completely and scanned to email and sent to Security Report with the invoice. 3. When payment is made via the mail, this portion of the form will be filled out completely and sent in with payment.



However, the Plaintiff, who was not charged for stealing, was issued a citation for trespass, and Plaintiff was Banned from Menards. After being falsely arrested, detained and held against his will, for almost two hours, the Plaintiff was released.

In efforts to move forward with a lawsuit for illegally detaining and denying the Plaintiff his Fourth Amendment rights, the Plaintiff requested a copy of the police report. See attached (Exhibit No. 4; Norton Shores Police Report #2020-07533) via FOIA.

		INCIDENT/INVESTIGATION REPORT				Case# 2020-07533	
						Date / Time Reported 12/09/2020 12:47 Wed	
I N C I D E N T D A T A	Agency Name Norton Shores Police Department		ORI MI 6162500		Last Known Secure 12/09/2020 12:47 Wed		
	Location of Incident 5487 HARVEY ST, Norton Shores MI 49444		Gang Relat NO	Premise Type Department/discount	Zone/Tract	At Found 12/09/2020 12:47 Wed	
	#1	Crime Incident(s) Retail Fraud - Theft 30002	(Alt)	Weapon / Tools		Activity	
	#2	Crime Incident	()	Weapon / Tools		Activity	
M O	#3	Crime Incident	()	Weapon / Tools		Activity	
V I C T I M	# of Victims 1		Type: BUSINESS		Injury:		
	Victim/Business Name (Last, First, Middle) V1 MENARDS		Victim of Crime # 1	DOB Age	Race Sex	Relationship To Offender	Resident Status Military Branch/Status
	Home Address 5487 HARVEY ST, Norton Shores, MI 49444-		Employer Name/Address (HOME IMPROVEMEN)		Home Phone		
	VYR Make Model Style Color		Lic/Lis	VIN			
O T H E R S	CODES: V- Victim (Denote V2, V3) O - Owner (if other than victim) R - Reporting Person (if other than victim)						
	Type: INDIVIDUAL/ NOT LAW ENFORCEMENT		Injury:				
	Code RP	Name (Last, First, Middle) JENKINS, ZACHARY JAMES-ROBERT	Victim of Crime #	DOB Age 25	Race Sex W M	Relationship To Offender	Resident Status Military Branch/Status
	Home Address		Employer Name/Address		Home Phone		
I N V O L V E D	Type:		Injury:				
	Code	Name (Last, First, Middle)	Victim of Crime #	DOB Age	Race Sex	Relationship To Offender	Resident Status Military Branch/Status
	Home Address		Employer Name/Address		Home Phone		
	Employer Name/Address		Business Phone		Mobile Phone		
P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)						
	VI #	Code	Status Pm/To	Value	CJ	QTY	Serial Number
Officer/ID#		HANEY, P. E. (NSPDPEH1)					
Invest ID#		HANEY, P. E. (NSPDPEH1)					
Status	Complainant Signature	Case Status Closed	12/19/2020	Case Disposition: Victim Refused To	12/19/2020	Page 1	
R CSI IBR		Printed By: NSPDCJD1.		Sys#: 868532		12/23/2020 09:27	

INCIDENT/INVESTIGATION REPORT

Norton Shores Police Department

Case # 2020-07533

Status Codes	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown						
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type		
Assisting Officers							

Suspect Hate / Bias Motivated: *NONE*

NARRATIVE

Attempted retail fraud.

Incident Report Additional Name List

Norton Shores Police Department

OCA: 2020-07533

Additional Name List

Name Code#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 1	HERRERA, DANIEL RALPH		xx/xx/1970	50	W	M
	Address		H: - -			
	Empl/Addr		B: - -			
			Mobile #: - -			
2) WI 2	SMITH, DARREL JAMES		xx/xx/1987	33	W	M
	Address :		H: - -			
	Empl/Addr :		B: - -			
			Mobile #: - -			

REPORTING OFFICER NARRATIVE*Norton Shores Police Department*

Victim MENARDS	Offense RETAIL FRAUD - THEFT	OCA 2020-07533 Date / Time Reported Wed 12/09/2020 12:47
THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY		

12/09/2020

INFORMATION

I was dispatched to a shoplifting report at Menards 5487 Harvey St.

CONTACT WITH LOSS PREVENTION

I spoke with loss prevention employee Zachary Jenkins. Zachary advised that he observed two black males walking down the aisle together. One male concealed an item in his jacket. The males then went to the checkout and one male stayed to pay for some items while the male that concealed the items walked out.

Zachary identified both males as Larry Jones and Fredrick Banks. Larry Jones was the male that paid for some items while Fredrick Banks walked out. Zachary made contact with Larry and Fredrick outside of the store and had them return to the LP office.

Zachary advised that he issued a civil restitution for Fredrick. Fredrick concealed items not worth more than \$25 and let Fredrick go. Zachary advised he wanted Larry Jones trespassed for previous sexual harassment encounters at the store. Zachary advised they have had an employee identify Larry and wanted him trespassed due to the attempt retail fraud and the sexual harassment. Zachary said Larry was previously warned about the sexual harassment and if it happened again he would be trespassed. Loss prevention is going to send me copies of the sexual harassment reports made by Menards LP employees and a copy of the video footage.

CONTACT WITH LARRY JONES

I spoke with Larry Jones and he was very upset about the whole situation and stated he didn't steal anything. Larry advised he paid for the items and walked out. He was then stopped by LP employees and asked to return to the store for stealing.

Larry requested through Dispatch that I TX him after I had cleared from the call. I spoke to Larry on the phone and he was very upset and advised he didn't steal anything. He wanted to make sure I wrote a factual report and viewed the video footage. He said he didn't make any sexual comments toward any employees. He stated he was a very loyal customer to Menards and didn't steal from them. Larry also stated that he was held against his will at Menards and was held there for over two hours.

I advised Larry I would write a factual report and review the video footage.

DISPOSITION

I trespassed Larry Jones per Menards request. I reviewed video footage and saw Larry and Fredrick walking together. Fredrick was pushing the shopping cart and conceals an item in his coat. Larry walks in front of Fredrick during the concealing and takes the shopping cart from Fredrick. The two then go to the checkout and Fredrick walks out the front door.

The footage also showed that they entered the aisle they stole from at 12:31PM. They were caught by LP and put into the room at 12:42PM. I arrived on scene at 12:57PM.

I will be attaching the LP report, for the previous sexual harassment reports, and video footage when I received them

REPORTING OFFICER NARRATIVE*Norton Shores Police Department*

Victim MENARDS	Offense RETAIL FRAUD - THEFT	OCA 2020-07533 Date / Time Reported Wed 12/09/2020 12:47
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

from Menards.

Haney/47420

Incident Report Suspect List

Norton Shores Police Department

OCA: 2020-07533

1		Name (Last, First, Middle) BANKS, FREDERICK LEE					Also Known As					Home Address				
		Business Address UNEMPLOYED, LABORER														
		DOB xx/xx/1957	Age 63	Race B	Sex M	Eth U	Hgt 508	Wgt 158	Hair BLK	Eye BRO	Skin MED	Driver's License / State.				
Scars, Marks, Tattoos, or other distinguishing features																
		Reported Suspect Detail					Suspect Age		Race	Sex	Eth	Height	Weight	SSN		
		Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel			
		Veh Yr/Make/Model		Drs		Style		Color		Lic/St		VIN				
Notes										Physical Char						

2		Name (Last, First, Middle) JONES, LARRY DARNELL					Also Known As					Home Address 416 ARBOR VIEW CIR DIBERVILLE, MS 39540 517-619-9067				
		Business Address														
		DOB xx/xx/1956	Age 64	Race B	Sex M	Eth	Hgt 509	Wgt 150	Hair	Eye BRO	Skin	Driver's License / State. J520488135385 MI				
Scars, Marks, Tattoos, or other distinguishing features																
		Reported Suspect Detail					Suspect Age		Race	Sex	Eth	Height	Weight	SSN		
		Weapon, Type		Feature		Make		Model		Color		Caliber	Dir of Travel			
		Veh Yr/Make/Model		Drs		Style		Color		Lic/St		VIN				
Notes										Physical Char						

CASE SUPPLEMENTAL REPORT

Printed: 12/23/2020 09:27

Norion Shores Police Department

OCA: 202007533

Case Status: **CLOSED**Case Mng Status: **CLOSED**

Occurred: 12/09/2020

Offense: **RETAIL FRAUD - THEFT**Investigator: **HANEY, P. E. (NSPDPEH1)**

Date / Time: 12/15/2020 16:22:49, Tuesday

Supervisor: **BAKER, T. R. (NSPDTRB1)**

Supervisor Review Date / Time: 12/15/2020 16:48:19, Tuesday

Contact:

Reference: *Supplement*

12/15/2020

I spoke with Zachary Jenkins regarding video of Larry Jones and Fredrick Banks. Zachary was unable to provide me with a copy of the video. I recorded a video of the incident.

Zachary also provided me with a statement from the sexual harassment incident with Larry Jones and an employee. Zachary advised he would be providing me with the sexual harassment reports when they become available.

Both the video and the statement will be attached to the report in RMS.

Payton Haney

Investigator Signature

Supervisor Signature

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CASE SUPPLEMENTAL REPORT

Printed: 12/23/2020 09:27

Norton Shores Police Department

OCA: 202007533

THIS REPORT IS FOR OFFICIAL USE ONLY - NOT TO BE RELEASED TO THE PUBLIC

Case Status: *CLOSED*Case Mag Status: *CLOSED*

Occurred: 12/09/2020

Offense: *RETAIL FRAUD - THEFT*Investigator: *HANEY, P. E. (NSPDPEH1)*

Date / Time: 12/19/2020 07:27:28, Saturday

Supervisor: *BAKER, T. R. (NSPDTRB1)*

Supervisor Review Date / Time: 12/19/2020 09:03:58, Saturday

Contact:

Reference: *Supplement*

12/19/2020

I attached surveillance footage of Larry Jones and Fredrick Banks in RMS. Both individuals are seen walking down the isle together. Fredrick is seen pushing the cart and takes an item out of the cart. Fredrick and Larry switch places pushing the cart. While they switch places, you can see Fredrick concealing the item in his jacket.

I've also attached a written statement by an employee regarding the sexual harassment against Larry Jones. As well as the LP report written by Zachary Jenkins.

Haney

Investigator Signature

Supervisor Signature

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CASE SUPPLEMENTAL REPORT

Printed: 01/04/2021 14:41

Norton Shores Police Department

OCA: 202007533

Case Status: *CLOSED*Case Mag Status: *CLOSED*

Occurred: 12/09/2020

Offense: *RETAIL FRAUD - THEFT*Investigator: *HANEY, P. E. (NSPDPEH1)*

Date / Time: 01/02/2021 09:51:14, Saturday

Supervisor: *BAKER, T. R. (NSPDTRB1)*

Supervisor Review Date / Time: 01/02/2021 10:15:18, Saturday

Contact:

Reference: *Supplement*

01/02/2021

During the incident on 12/09/2020, when Zachary approached Larry Jones and Fredrick Banks, he was accompanied by Darrell Smith. Zachary had Darrell witness the interaction. Darrell stood by while Zachary approached Larry and Fredrick. Zachary asked Larry and Fredrick to return to the loss prevention office, which both cooperated and were not handcuffed.

Once in the loss prevention, Zachary had Daniel Herrera accompany him, so Zachary wasn't alone in the office with two subjects. Zachary was the one who witnessed the retail fraud occur.

Both Darrell and Daniel were added to the name screen.

Haney/47420

Investigator Signature

Supervisor Signature

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CASE SUPPLEMENTAL REPORT

Printed: 06/08/2021 16:28

Norton Shores Police Department

OCA: 202007533

ALL INFORMATION CONTAINED HEREIN IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLYCase Status: *CLOSED*Case Mng Status: *EXC CLEAR - VICTIM*

Occurred: 12/09/2020

Offense: *RETAIL FRAUD - THEFT*Investigator: *VANDERSTELT, M. D. (NSPDMDV1)*

Date / Time: 01/07/2021 14:49:07, Thursday

Supervisor: *VANDERSTELT, M. D. (NSPDMDV1)*

Supervisor Review Date / Time: 01/07/2021 14:49:13, Thursday

Contact:

Reference: *Supplement***INFORMATION:**

I received information from City Manager Mark Meyers that Larry Jones sent him an email inquiring about this incident. Mr. Jones requested Officer Haney identify other individuals from Menards involved in the incident on 12/9/20. On January 2, 2021, Officer Haney obtained additional names related to the incident.

I contacted Mr. Jones on Monday, January 4, 2021, and advised him of the additional names added to the report, and a copy of the supplement was emailed to Mr. Jones. Mr. Jones said he feels that Menards is making up the sexual harassment claim to trespass him, and he doesn't feel this is right. I explained to Mr. Jones that he would need to contact Menards if he feels the situation was not handled correctly. Mr. Jones asked if I could find out when the alleged harassment incident took place.

I contacted Menards' Regional Manager Zachary Jenkins and asked him for the date of the incident.

Jenkins said the first incident occurred on October 2. Jenkins also said he would send me a copy of Menards' incident report and witness statements related to the October 2 incident. I received the documents on January 7, 2021, and attached them to this report.

SUMMARY:

Officer Haney was called to Menards for a retail fraud and trespass notice complaint. While conducting the investigation, it was determined that Menards was not going to press charges on Mr. Banks for concealing merchandise. Menards asked Officer Haney to inform Mr. Jones of the trespassing notices. Menards trespassing notice was a combination of the October 2 incident, an incident that occurred three weeks later, and the December 9 incident. As a result, the information provided was documented in this report. The Norton Shores Police Department did not receive any report of harassment by Mr. Jones from Menards before this report. No criminal charges are being sought in this case; therefore, the case is closed.

I contacted Mr. Jones and advised him of the original date of the harassment allegation and the status of this investigation.

STATUS:

Investigation closed.

Investigator Signature

Supervisor Signature

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CASE SUPPLEMENTAL REPORT

Printed: 06/08/2021 16:28

Norton Shores Police Department

OCA: 202007533

THE INFORMATION HEREIN IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **CLOSED**

Case Mag Status: **EXC CLEAR - VICTIM**

Occurred: 12/09/2020

Offense: **RETAIL FRAUD - THEFT**

Investigator: **VANDERSTELT, M. D. (NSPDMDV1)**

Date / Time: 01/07/2021 14:49:07, Thursday

Supervisor: **VANDERSTELT, M. D. (NSPDMDV1)**

Supervisor Review Date / Time: 01/07/2021 14:49:13, Thursday

Contact:

Reference: *Supplement*

Lt. VanderStelt/47380

[01/07/2021 14:49, NSPDMDV1, 684, NSPD]

Investigator Signature

Supervisor Signature

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On Saturday, December 19th, 2020, Defendant Peyton Haney, attached a surveillance footage to the report along with a written statement from Defendant Zachary Jenkins, regarding an alleged sexual harassment claim against the Plaintiff, in which The Plaintiff, Larry Darnell Jones, knew nothing about. See attached (Plaintiff Exhibit No. 5; Case Supplemental Report dated 12/19/2020)

CASE SUPPLEMENTAL REPORT

Printed: 06/08/2021 16:28

Norton Shores Police Department

OCA: 202007533

INVESTIGATION REPORT - FOR USE BY: []		
Case Status: CLOSED	Case Mng Status: EXC CLEAR - VICTIM	Occurred: 12/09/2020
Offense: RETAIL FRAUD - THEFT		
Investigator: HANEY, P. E. (NSPDPEH1)	Date / Time: 12/19/2020 07:27:28, Saturday	
Supervisor: BAKER, T. R. (NSPDTRB1)	Supervisor Review Date / Time: 12/19/2020 09:03:58, Saturday	
Contact:	Reference: Supplement	

12/19/2020

I attached surveillance footage of Larry Jones and Fredrick Banks in RMS. Both individuals are seen walking down the isle together. Fredrick is seen pushing the cart and takes an item out of the cart. Fredrick and Larry switch places pushing the cart. While they switch places, you can see Fredrick concealing the item in his jacket.

I've also attached a written statement by an employee regarding the sexual harassment against Larry Jones. As well as the LP report written by Zachary Jenkins.

Haney

Investigator Signature

Supervisor Signature

Page 8

Upon examining the report, the Plaintiff noticed two things. (1). Defendant Officer Peyton Haney, conducted an improper investigation by not including all of the names of the people that took part in the illegal arrest situation that occurred on December 9th, 2020. (2). There was a “alleged Sexual Harassment” issue added to the report, that the Plaintiff never heard of, or had a conversation with anyone about, or had anything to do with the incident that Defendant Peyton Haney No. 5, was called out to Menards for on December 9th, 2020.

After finding this disturbing information, the Plaintiff emailed City Administrator, Mark C. Meyers, On December 24th, 2020, with the following information: See attached (Exhibit No. 6; Email to Mark C. Meyers)

December 24, 2020

Attention Mark C. Meyers, City administrator

Incident Number: 2020-07533

On December 9th, 2020, Officer Payton Haney, conducted an improper investigation at the Menards store located at 5487 Harvey Street, Muskegon Michigan, 49444:

1). I ask you to have Lieutenant Marc Vanderstelt, to direct Officer Payton Haney, to conduct a proper investigation into all of the employees at Menards who searched and seized me in violation of the Fourth Amendment on December 9th, 2020. At the time of the investigation, she did not include all of the names of the people that took part in this illegal apprehension. Those names must be included in the report, because this is a denial of my First Amendment right to petition the Government for the redress of grievances.

2). As part of her report, she attached a letter dated 12/15/2020, from a Menards employee named Jen Copeland, who stated in part:

(a). "To whom it may concern – approximately 2 ½ - 3 Months ago a Man came and asked me for help around our screw/bolt isle."

(b). "He then said loud enough give me a half hour and I'll eat the shit out of you"

(c). "When I thought he was gone, I went back to Hardware (my department). He then found me and handed me his business card. Which I threw away."

3). This is what I'm asking you to have investigated because it is obvious from 12/15/2020 letter from Jen Copeland, that this occurred 3-months prior to December 9th, 2020, incident. Which Officer Payton Haney, did not obtain the date that this alleged incident happened, nor did she obtain a video tape of the incident of which Jen Copeland, said took place.

4). This alleged incident that the Menards Management and employee, Jen Copeland, is reporting had nothing to do with the Third-degree Retail Fraud-theft that took place on December 9th, 2020, in which I was not involved, but illegally arrested by the Menards lost prevention team. Furthermore, I had no knowledge of this reported statement that she said I made to her to cause the Menards store to trespass and ban me from their store. This is denial of my First Amendment rights of free Association.

5). I would appreciate the dates on which these incidents allegedly occurred. I appreciate your time and consideration in having this investigated further. Thank you.

Respectfully,
Larry Darnell Jones
ldj146246@gmail.com
517-619-9067

Unbeknownst to the Plaintiff, The Sexual Harassment allegations brought forward during this investigation, were surprising, false, and violate the Plaintiff's First Amendment rights of free association, by banning the Plaintiff and citing him for trespass, in which he had no knowledge of.

On December 30th, 2020, the Plaintiff received an email response from Mr. Mark C. Meyers, who indicated, "Lt. Marc Vanderstelt would follow up on Monday." See attached (Plaintiff Exhibit No. 7; Email reply from Mark Meyers)



Larry Jones <ldj146246@gmail.com>

Larry Darnell Jones

2 messages

Larry Jones <ldj146246@gmail.com>

Mon, Dec 28, 2020, 4:10 PM

To: <markm@nortonshores.org>, <mmeyers@nortonshores.org>

Sent from my iPhone
Attention Mark C.docx

Mark Meyers <MarkM@nortonshores.org>

Wed, Dec 30, 2020, 10:47 AM

To: Larry Jones <ldj146246@gmail.com>

Hello Mr. Jones,

Following our phone conversation on I discussed this matter with Police Chief Jon Gale. He will direct Lt. Marc Vanderstelt to review the situation and your concerns when he returns to the office on Monday.

Sincerely,

Mark C. Meyers
City Administrator
City of Norton Shores
231-798-4391

-----Original Message-----

From: Larry Jones <ldj146246@gmail.com>

Sent: Monday, December 28, 2020 4:11 PM

To: Mark Meyers <MarkM@NortonShores.org>; Mark Meyers <MarkM@NortonShores.org>

Subject: Larry Darnell Jones

On Saturday, January 2nd, 2021, Defendant Peyton Haney, updated the report to add Defendants Darrell James Smith, and Daniel Ralph Herrera as requested by Plaintiff. See attached (Plaintiff Exhibit No. 8; Case Supplemental Report dated 01/02/2021)

CASE SUPPLEMENTAL REPORT

Printed: 01/04/2021 14:41

Norton Shores Police Department

OCA: 202007533

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: **CLOSED**

Case Mng Status: **CLOSED**

Occurred: 12/09/2020

Offense: **RETAIL FRAUD - THEFT**

Investigator: **HANEY, P. E. (NSPDPEHI)**

Date / Time: 01/02/2021 09:51:14, Saturday

Supervisor: **BAKER, T. R. (NSPDTRBI)**

Supervisor Review Date / Time: 01/02/2021 10:15:18, Saturday

Contact:

Reference: *Supplement*

01/02/2021

During the incident on 12/09/2020, when Zachary approached Larry Jones and Fredrick Banks, he was accompanied by Darrell Smith. Zachary had Darrell witness the interaction. Darrell stood by while Zachary approached Larry and Fredrick. Zachary asked Larry and Fredrick to return to the loss prevention office, which both cooperated and were not handcuffed.

Once in the loss prevention, Zachary had Daniel Herrera accompany him, so Zachary wasn't alone in the office with two subjects. Zachary was the one who witnessed the retail fraud occur.

Both Darrell and Daniel were added to the name screen.

Haney/47420

With further investigation, the time line and series of events do not match up for the sexual harassment claim to be feasible. The Sexual Harassment claim presented itself to the Plaintiff, while piggy-backing off a 911 call in leu of an attempt theft incident that occurred on December 9th, 2020 at Menard, located at 5487 Harvey Street, Muskegon, Michigan 49444, and made aware of by the Plaintiff because the PLAINTIFF requested a copy of the police report,

otherwise the Plaintiff would not have known of the “alleged sexual harassment” charges thereof. According to the statements on December 30th 2020, provided on behalf of Defendants Hunter Czinder, No. 10 See Attached (Plaintiff Exhibit No. 9; Witness Statement dated December 30th, 2020) Twenty-one (21) days after the attempted theft charges and trespass citation issued on December 9th, 2020. And approximately three (3) months from the “alleged sexual harassment” claim, that has never been documented or heard of until now.

Witness Statement

Hunter Caider

So it was back in October, Tiler from Building Materials walked a guest over to aisle 41 where our joist hangers are and was assisting him with them. Jenn and I and were in the aisle right across from them, aisle 117, putting away a bunch of screws from a pallet. Tiler stood and helped the guy from what I remember about 5 or so minutes. I know he had to open a box and get more of a product out for the guy or something along those lines. The guy didn't need Tiler's help anymore so Tiler walked away. I was watching most of the time because the guy looked kind of suspicious because I think he had his hood up and just looked out of place. Anyway, Jenn and I continued to work on the screws that we were putting away. The guy continued to look at the metal stuff for the wood in that aisle and he said something out loud to us. I walked over there and Jenn stayed where she was. I was never the most familiar with those products in hardware and I didn't know the answer to his question. I called Jenn over to help me to see if she knew the answer to what he needed. If I remember correctly, I got called away to do something else in the middle of her showing him one of the products and I walked away for a few minutes. I came back to work on the screw pallet and I walked down the aisle right across from Jenn and she was standing there with her arm on one of the shelves and was talking to the guy and it seemed like she was having a conversation with the guy like she knew him so I didn't think anything of it. About 5 or 6 minutes went by and Jenn was still talking to the guy in about the same spot. In that moment, I do remember the thought crossed my mind about what if that guy was a creep trying to do something but I didn't think much of it because you normally don't ever think it would actually happen with you. I walked past one more time and looked at Jenn and made eye contact with her because I figured if she felt like she was in danger or something like that, she would give me

some sort of motion or something to come over there but she didn't and continued talking to the guy. I think I finished the pallet and I remember walking back to the hardware desk and I was doing something there and I remember her coming up to the desk after about 15 total minutes talking with this guy and she told me what happened and was seemed super anxious and not knowing what to do. I remember her wanting to wait to go and talk to a General Manager because she didn't think she could all worked up. While she was telling me everything that was happening, we were walking around the department and we were just about to the corner by Building Materials and Hardware automotive and she was going to go to the bathroom and said she was going to talk to a GM later. I told her I was going to talk to Bob, who was the GM at the time, about everything that happened. At that corner by Building Materials, Bob was conveniently there so Jenn and I told him everything that happened and I remember he took down what he looked like from Jenn and I and I walked away. Later that day, about 4 o'clock I think it was when Jenn was supposed to leave, she came up to me and gave me a hug and thanked me for going to Bob about it because she didn't think she could and she told me she was kind of scared to walk out to her car. I told her I would walk her out to her car if it made her feel better so we walked to the desk and I told Rob, our department manager, that I was going to do that and he was okay with that.

About three weeks later, we had another screw pallet and Jenn and I both decided to work on it together. We were in the aisle for about 20 or so minutes, if I remember correctly, when I looked over for some reason and saw the same guy in about the same place as before. I looked over at Jenn and whispered to her and asked if that was the guy from about 3 weeks ago and she looked over at him because he was looking away and said she couldn't tell. A few seconds later, he saw us there putting screws away and approached us and I instantly knew it was him so I stood in front of Jenn so he couldn't see or talk to her and he asked if he could have help with the joist hanger nails. So I walked him over there keeping Jenn behind me and in sight. I walk him over to them to about where the incident happened before and kind of motioned her to walk away so nothing happened again. I helped

and Defendant Jennifer AKA "Jen" last name unknown, No. 9. See Attached (Plaintiff Exhibit No. 10; Defendant Statement)

12/15/2020
Jen

To Whom it may Concern,

Approximately 2 1/2-3 months ago a Man came + asked me for help around our screw/bolt isle. I helped him find what he asked for. After that every time I would take a step back away from him, he'd step back toward me. He would continue to make different remarks, some hard to completely hear due to him talking so low. He then said loud enough "Give me a half an hour + I'll eat the shit out of you." After that I walked away to the other side of the store and another employee (Hunter) stayed with me + told Bob, one of our GM's.

When I thought he was gone I went back to Hardware (my Department). He then found me and handed me

this business card. Which I threw away. And got away from him.

About 3 weeks ago he came back in Hunter (another employee) and I were talking. He noticed me again and walked toward me. Hunter stopped in front of him. I again left the area. I decided to get out of the building and on my way out I heard him yelling to get my attention. I ignored him + Hunter again stopped him. I truly don't feel safe leaving work. I don't know what he drives so it makes me extremely anxious.

Thank You.



12-15-2020

Written on December 15th, 2020, it is indicated that this “alleged sexual harassment” took place approximately 2 ½-3 months prior to the December 9th, 2020 incident, which would place us in September 2020.

The Plaintiff, Larry Darnell Jones, was rehabbing a home on Reynolds Street in Muskegon Heights, Michigan over the summer of 2020. As a long time, faithful and loyal customer of Menards, the Plaintiff made numerous trips to Menards on a daily and weekly basis. If there was ever a time that sexual harassment or misconduct could or would have occurred, along with a threat of trespassing, surely no one informed the Plaintiff of this. If it was so, the Plaintiff would not have been allowed to shop at Menards since September. The Plaintiff in fact has shopped at Menards at least seven (7) times from September 2020, to December 9th, 2020 See the Attached Exhibits (Plaintiff Exhibit No. 11; Receipt dated August 31st, 2020); (Plaintiff Exhibit No. 12; Receipt dated November 23rd, 2020 at 11:32 HOURS); (Plaintiff Exhibit No. 13; Receipt dated November 23rd, 2020 at 12:04 HOURS); (Plaintiff Exhibit No. 14; Receipt dated November 25th, 2020 at 11:12 HOURS); (Plaintiff Exhibit No.15; Receipt dated November 28th, 2020 at 11:19 HOURS); (Plaintiff Exhibit No. 16; Receipt dated November 28th, 2020 at 15:50 HOURS); (Plaintiff Exhibit No. 17; Receipt dated December 7th, 2020 at 7:40 HOURS); (Plaintiff Exhibit No. 18; Credit Voucher dated December 8th, 2020 at 11:34 HOURS);); (Plaintiff Exhibit No. 19; Credit Voucher dated December 9th, 2020 at 8:15 HOURS); (Plaintiff Exhibit No. 20; Receipt dated December 9th, 2020 at 8:15 HOURS); (Plaintiff Exhibit No. 21; Receipt dated December 9th, 2020 at 8:21 HOURS); (Plaintiff Exhibit No. 21; Receipt dated December 9th, 2020 at 13:09 HOURS);



MUSKEGON
5487 HARVEY ST
MUSKEGON, MI 49444



Not valid for rebate submissions

Allowable returns for items on this receipt
will be in the form of an in store credit
voucher if the return is done after
11/29/2020

1-1/2" EGALV ROOFING NAIL30LB
BUCKET
2291640 1@29.96 29.96

10' TIMBERCREST OSC 3/4" SAGE
1469692 7@15.28 106.96

12'6"TIMBERCREST JTRIM 3/4"SAGE
1469696 64@5.08 325.12

9' X 100' TYPAR HOUSE WRAP
1612995 1@109.00 109.00

D4" CEDAR CREEK .040 SAGE
1469683 168@4.29 720.72

STEEL STARTER STRIP 10' HEAVY
PROFILES
1461020 15@3.19 47.85

Subtotal 1,339.61
Taxes and Fees 80.38

Total 1,419.99

Payment Method(s) Used:
VISA DEBIT - 4196 1,419.99

7769 06 1438 08/31/20 02:37 PM 03102

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MENARDS

MENARDS - MUSKEGON
5487 HARVEY STREET
MUSKEGON, MI 49444

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charges on your receipt, please
email us at:

help@menards.com



Merchandise Return

12'6"TIMBERCST JTRIM 3/4
1469696 64 05.08 325.12-
ORIG STORE: 3102 6 1438 08/31/2020

TOTAL	325.12-
TAX STATE OF MI 6%	19.51-
TOTAL SALE	344.63-
US Debit 4196	344.63-
EFT Debit	
Ref# 113811231042	11/23/20 11:38:17
Chip Inserted	PRIMARY ACCT
a0000000980840	
TC - 7ded40c0346f61e3	

TOTAL NUMBER OF ITEMS - 24

THANK YOU, YOUR CASHIER. Kell11

38280 23 9016 11/23/20 11:32AM 31:2



MENARDS - MUSKEGON
5487 HARVEY STREET
MUSKEGON, MI 49444

KEEP YOUR RECEIPT
 RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below allowable returns for
 items on this receipt will be in the form
 of an in store credit voucher if the
 return is done after 02/21/21

If you have questions regarding the
 charges on your receipt, please
 email us at:
 MUSKfrontend@menards.com



Sale Transaction

SDS+DRILLBIT 1/2"X6"		
2363004	2 @8.27	16.54
TAPCON 1/2 X 4 HH 10CT		
2326970	2 @34.48	68.96
DBL PLATE RAFTER TIE		
2273467	17 @0.59	10.03
CONCRETE MIX		
1891030	6 @3.30	19.80
TOTAL		115.33
TAX STATE OF MI 6%		6.92
TOTAL SALE		122.25
US Debit 4196		122.25
EFT Debit	11/23/20 12:05:23	
Ref# 120511231042	PRIMARY ACCT	
Chip Inserted		
a0000000980840		
TC - e2d0df4150866289		

TOTAL NUMBER OF ITEMS = 27

THE FOLLOWING REBATE RECEIPTS WERE
 PRINTED FOR THIS TRANSACTION:
 617

THANK YOU, YOUR CASHIER, Renee

47433 08 3535 11/23/20 12:04PM 3102



MENARDS - MUSKEGON
5487 HARVEY STREET
MUSKEGON, MI 49444

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 RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below, all items returns for
 items on this receipt will be in the form
 of an in store credit voucher if the
 return is done after 02/23/21

If you have questions regarding the
 charges on your receipt, please
 call 800-455-4545
 or visit MENARDS.COM



Sale Transaction

ORDER	67989
11/25/20 #286TR SPF	-PICK
3 @ 18.99	58.97
END OF ORDER	
	58.97
TAX STATE OF MI 6%	3.42
TOTAL SALE	60.39
US Debit 4196	60.39
EFT Debit	11/25/20 11:12:45
Ref# 111211251042	PRIMARY ACCT
Chc# 111211251042	
ACC 0000980640	
TC - 2c182bc8b101c1cd	
TOTAL NUMBER OF ITEMS =	3

THE FOLLOWING REBATE RECEIPTS WERE
 PRINTED FOR THIS TRANSACTION:
 817

THANK YOU, YOUR CASHIER, AT1

40571 04 9033 11/25/20 11:12AM 3102



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5487 HARVEY STREET
MUSKEGON, MI 49444

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charges on your receipt, please
email us at:
MUSKfrontend@menards.com



Merchandise Return

SDS+DRILLBIT 1/2"X6" 8.27-
2363004
ORIG STORE: 3102 8 3535 11/23/2020
SDS+DRILLBIT 1/2"X6" 8.27-
2363004
ORIG STORE: 3102 8 3535 11/23/2020

TOTAL	16.54-
TAX STATE OF MI 6%	0.99-
TOTAL SALE	17.53-
CASH	17.53-
CHANGE	17.53

TOTAL NUMBER OF ITEMS = 2

THANK YOU, YOUR CASHIER, Jennifer

38849 60 9903 11/27/20 11:19AM 3102



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MUSKEGON, MI 49444

KEEP YOUR RECEIPT
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Unless noted below allowable returns for
 items on this receipt will be in the form
 of an in store credit voucher if the
 return is done after 02/28/21

If you have questions regarding the
 charges on your receipt, please
 email us at:
 MUSKfrontend@menards.com



Sale Transaction

M&M PEANUT
 2734247 2.98 NT
 ORDER 68658
 2X8-20' #28BTR SPF -PICK
 1021849 2 #28.58 59.18
 END OF ORDER

TOTAL 62.16
 TAX STATE OF MI 6% 3.55
 TOTAL SALE 65.71
 US Debit 4196 65.71
 EFT Debit 11/28/20 15:51:08
 Ref# 155111261042 PRIMARY ACCT
 Chip Inserted
 a0000000980840
 TC - 8afc0becf1eebe66

TOTAL NUMBER OF ITEMS = 3

THANK YOU, YOUR CASHIER, Tiffany

40408 07 9878 11/28/20 03:50PM 3102

MENARDS

ORE # 3102 MUSK
87 Harvey Street
Askegon, MI 49444

FAX: (231) 798-0025
EMAIL: MUSKBuildingMaterials@menards.com

Prices shown are valid today only.

MUSK 69212

**PICKING LIST - GUEST COPY**

PAGE 1 OF 1

SOLD BY: WILLIAM H.
DATE: 12/01/20

GUEST NAME - ADDRESS - PHONE

Ph:
JOB DESC:
lumber

QTY	DESCRIPTION	UNIT	SKU NUMBER
3 EACH	2X4-6' SPF	STUD	102-1075

**TO AVOID PRODUCT NOT BEING AVAILABLE ON A LATER DATE
PLEASE PICK UP ALL MERCHANDISE TODAY. THANK YOU.**

This is a quote valid today. Upon payment this quote becomes a yard picking list subject to the terms and conditions below. Quantities listed above may exceed quantities available for immediate pick-up. Product is not held for a specific guest, but instead is available to the buying public on a first come, first serve basis. Please pickup all items made on this picking list immediately. Failure to pick up products on this picking list today will result in additional charge to you if, on the day of pick up, the price of the products are higher than on the day purchased. Menards liability to you is limited to refunding your original purchase price for any product not picked up.

Instructions:

- Take this picking list to a cashier to pay for the merchandise.
- Enter the outside yard to pick up your merchandise. (All vehicles are subject to inspection.)
- Load your merchandise. (Menards Team Members will gladly help you load your materials but cannot be held liable for damage to your vehicle.)
- When exiting the yard, present this list to the Gate Attendant. (The Gate Attendant will record the items you are taking with you.)
- Sign the Gate Attendant's signature pad verifying you've received the merchandise.

PRE-TAX TOTAL: 11.97

Insurance does not allow us to tie down or secure your load, trunk lid, etc. For your convenience, we supply twine, but you will have to decide whether or not your load is secure and if the twine supplied is strong enough. If you do not believe the twine will suffice, stronger material can be purchased inside the store.

READ THE TERMS AND CONDITIONS CAREFULLY. All returns are subject to Menards' posted return policy. In consideration for Menards low prices you agree that any merchandise purchased by you is defective, Menards will agree to exchange the merchandise or refund the purchase price based on the form of original payment. Menards agrees that there shall be no other remedy available to you. If there is a warranty provided by the manufacturer, that warranty shall govern your rights and Menards shall not be responsible for the product "AS IS." Oral statements do not constitute warranties, and are not a part of this contract. The guest agrees to inspect all merchandise prior to installing it. **UNDER NO CIRCUMSTANCES SHALL MENARDS BE LIABLE FOR ANY SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES.** MENARDS MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE MERCHANDISE. Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration administered by the American Arbitration Association under its applicable Consumer or Commercial Arbitration Rules, and judgments on the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The guest agrees to these terms and conditions through purchase of merchandise contained on this document.

THIS IS NOT A RECEIPT GATE ATTENDANT-SCAN HERE ➡



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MUSKEGON, MI 49444

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RETURN POLICY VARIES BY PRODUCT TYPE

Unless noted below allowable returns for
items on this receipt will be in the form
of an in store credit ~~voucher~~ if the
return is done after 03/07/21

If you have questions regarding the
charges on your receipt, please
email us at:

MUSKfrontend@menards.com



Sale Transaction

PINE 6PNL 36LH	*	
4112513		129.99
PINE 6PNL 30LH	*	
4112507		119.99

TOTAL	249.98
TAX STATE OF MI 6%	15.00
TOTAL SALE	264.98
CERTIFICATE-BARCODED	204.00

*****8928

Remaining Balance: \$0.00

CERTIFICATE-BARCODED	10.77
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*****8717

Remaining Balance: \$0.00

CERTIFICATE-BARCODED	50.21
----------------------	-------

*****8716

Remaining Balance: \$121.39

TOTAL SAVINGS 20.00

TOTAL NUMBER OF ITEMS = 2

THANK YOU, YOUR CASHIER, Sue

7769 05 4166 12/07/20 07:40PM 3102

ISSUE BAR-CODED OK 579.34
2233388965
36947 69 2720 12/08/20 11:34AM 3102

MENARDS

Merchandise Credit Check
Good For Purchasing Merchandise At
Any MENARDS Store

Check not redeemable for cash or gift cards. No cash refund for unused balance. Check and underlying funds do not expire. There are no fees associated with the use of this check. Check is void if altered or changed in any way. Not valid for payment on MENARDS charge card. MENARDS not responsible for lost or stolen checks.



ISSUE BAK-00060 OK 515.00
DOC 2233613571
40571 00 12/09/20 12:15AM 3100

MENARDS

Merchandise Credit Check
Good For Purchasing Merchandise At
Any MENARDS Store

Check not redeemable for cash or gift cards. No cash refund for unused balance. Check and underlying funds do not expire. There are no fees associated with the use of this check. Check is void if altered or changed in any way. Not valid for payment on MENARDS charge card. MENARDS not responsible for lost or stolen checks.





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of an in store credit voucher if the
return is done after 03/09/21

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charges on your receipt, please
email us at:
MUSKfrontend@menards.com



Merchandise Return

PFJ PINE BRICK MLD 180	
4171595 2 @7.59	15.18-
ORIG STORE: 3102 7 5361 08/27/2020 C	
ISSUE BAR-CODED CK NO: *****3571 GC	
	16.09 NT
TOTAL	0.91
TAX STATE OF MI 6%	0.91-
TOTAL SALE	0.00

TOTAL NUMBER OF ITEMS = 3

GC = Gift Cards and/or Merchandise
Credit Checks are non-refundable.

See menards.com for return policy details

THANK YOU, YOUR CASHIER, A11

40571 60 2942 12/09/20 08:15AM 3102



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5487 HARVEY STREET
MUSKEGON, MI 49444

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 of an in store credit voucher if the
 return is done after 03/09/21

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 email us at:
MUSKfrontend@menards.com



Sale Transaction

WM 2G SWITCHPLATE		
3713035	2 @0.69	1.38
WM 1T00/1WELXIR WALLPLATE		
3713323		1.49
WM 1G DECOR PLATE		
3713187	2 @0.49	0.98
WM 2G DECOR PLATE		
3713213		0.89
TOTAL		4.84
TAX STATE OF MI 6%		0.29
TOTAL SALE		5.13
CERTIFICATE BARCODED		5.13
*****8986		

Remaining Balance: \$29.32

TOTAL NUMBER OF ITEMS = 6

THANK YOU, YOUR CASHIER, Menard

40411 08 9077 12/09/20 12:37PM 3102

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of an in store credit voucher if the
return is done after 03/09/21

If you have questions regarding the
charges on your receipt, please
email us at:
HUCKfrontend@menards.com



Sale Transaction

WH 46 SWITCH PLATE	
3719063	1.99
WH 26 SWITCH PLATE	
3712035 2	40.69
15A HD 3W SWITCH-WH	
3637495 3	82.99
WH 15A 3P GROUNDED SWITC	
3639368 4	40.58
WH 15A COMM 3W SLIM	
3632089	2.89

TOTAL	17.65
TAX STATE OF MI 6%	1.06
TOTAL SALE	18.71
CERTIFICATE BACKED	18.71
*****8965	

Remaining Balance: **\$34.45**

TOTAL NUMBER OF ITEMS = 11

THANK YOU, YOUR CASHIER, KIM

40734 05 4967 12/09/20 09:21AM 3102



MENARDS - MUSKEGON
5487 HARVEY STREET
MUSKEGON, MI 49444

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RETURN POLICY VARIES BY PRODUCT TYPE

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items on this receipt will be in the form
of an in store credit voucher if the
return is done after 03/09/21

If you have questions regarding the
charges on your receipt, please
email us at:
MUSKfrontend@menards.com



Sale Transaction

NH 15A GFCI		
3637142	2 @13.29	26.58
TOTAL		26.58
TAX STATE OF MI 6%		1.59
TOTAL SALE		28.17
CERTIFICATE-BARCODED		28.17
*****8965		
Remaining Balance: \$1.15		

TOTAL NUMBER OF ITEMS = 2

THANK YOU, YOUR CASHIER, Brandi

/820 22 3780 12/09/20 01:09PM 3102

If the Defendant Zachary Jenkins, No. 1, was able to recognize the Plaintiff on December 9th, 2020, with an alert from the AnyVision system they have in place, why wouldn't the system pick up any of the other seven times the Plaintiff made a visit to the store during the time frame between September to December of 2020. The Plaintiff even shopped the morning of the incident at approximately 800 HOURS, See (Exhibits 19-21; dated and time stamped receipts) with no issues entering or exiting the store. Defendant Jennifer AKA "Jen" Last name unknown, also indicated the Plaintiff gave her a tangible piece of evidence, his business card. In which she said, "she threw it away". If an individual is being "sexually harassed" and someone gives you a piece of their identity any reasonable person would have or should have known to report that to authorities immediately, not 3 months later.

In conclusion, there was no intent to steal from Menards. Clearly, the Plaintiff had the funds available along with in-store credits.

There was NEVER a sexually harassment claim brought up to the Plaintiff, followed by a banning from the Menards store(s). This came as surprising news following the incident that occurred on December 9th, 2020.

IV.

FIRST CAUSE OF ACTION

Count-I

THE DEFENDANTS VIOLATED THE PLAINTIFF'S FIRST AMENDMENT RIGHTS TO PETITION THE GOVERNMENT FOR THE REDRESS OF GRIEVANCES, TO PEACEFULLY ASSEMBLE (FREE ASSOCIATION) TO PRACTICE HIS SON OF MAN SECULAR RELIGIOUS BELIEFS, AND TO BE FREE FROM RETALIATIONS, AND TO BE FREE FROM ILLEGAL AND UNLAWFUL SEARCH AND SEIZURE IN VIOLATION OF THE FOURTH AMENDMENT WHERE THE PLAINTIFF SUFFERED EMOTIONAL AND PHYSICAL DISTRESS WHEN DEFENDANTS LIBELED AND SLANDERED THE PLAINTIFF TO BE FREE FROM FALSE IMPRISONMENT AFTER BEING ACCUSED OF RETAIL FRAUD AND THEFT.

1. Defendant Regional Manager of Security Zachary Jenkins, No.1., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

2. Defendant Regional Manager of Security Zachary Jenkins, No.1., on December 9, 2020, arrested the plaintiff in violation of MCL §764.16(d) at the Menards Store and placed the

plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

3. Defendant Regional Manager of Security Zachary Jenkins, No. 1., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

4. Defendant Regional Manager of Security Zachary Jenkins, No.1., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

5. Defendant Regional Manager of Security Zachary Jenkins, No. 1., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that

violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

6. Defendant Regional Manager of Security Zachary Jenkins, No. 1., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

7. Defendant Assistant General Manager Robert James Saena, No. 2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security

Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

8. Defendant Assistant General Manager Robert James Saena, No. 2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

9. Defendant Assistant General Manager Robert James Saena, No.2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail

Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

10. Defendant Assistant General Manager Robert James Saena, No.2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

11. Defendant Assistant General Manager Robert James Saena, No. 2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail

Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Assistant General Manager Robert James Saena, No. 2., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

12. Defendant Assistant General Manager Robert James Saena, No. 2., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Assistant General Manager Robert James Saena, No. 2., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

13. Defendant Employee of Menards Daniel Ralph Herrera, No. 3., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

14. Defendant Employee of Menards Daniel Ralph Herrera, No. 3., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

15. Defendant Employee of Menards Daniel Ralph Herrera, No. 3., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the

plaintiff in their Lost and Prevention Room with Defendant Regional of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

16. Defendant Employee of Menards Daniel Ralph Herrera, No.3., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

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reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

19. Defendant Employee of Menards Darrell James Smith, No. 4., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

20. Defendant Employee of Menards Darrell James Smith, No. 4., on December 9, 2020, arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

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Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

25. Defendant Norton Shores Police Officer Peyton E. Haney, No. 5., on December 9, 2020, assisted Defendant Regional Manager of Security Zachary Jenkins, No. 1., and arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with the Norton Shores Police Officer, Peyton E. Haney, then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

26. Defendant Norton Shores Police Officer Peyton E. Haney, No.5., on December 9, 2020, assisted Defendant Regional Manager of Security Zachary Jenkins, No. 1., and arrested the plaintiff in violation of MCL §764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with the Norton Shores Police Officer, Peyton E. Haney, then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be

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27. Defendant Norton Shores Police Officer Peyton E. Haney, No.5., on December 9, 2020, assisted Defendant Regional Manager of Security Zachary Jenkins, No. 1., and arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with the Norton Shores Police Officer, Peyton E. Haney, then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

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30. Defendant Norton Shores Police Officer Peyton E. Haney, No. 5., on December 9, 2020, assisted Defendant Regional Manager of Security Zachary Jenkins, No.1., and arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with the Norton Shores Police Officer, Peyton Haney, then blocked

the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

31. Defendant Norton Shores Police Sergeant Todd R. Baker, No.6., on December 9, 2020, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the Defendant Regional Manager of Security Zachary Jenkins, No.1., and arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Employee of Menards Daniel Ralph Herrera, No.3., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

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35. Defendant Norton Shores Police Sergeant Todd R. Baker, No.6., on December 9, 2020, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the Defendant Regional Manager of Security Zachary Jenkins, No.1., and arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Employee of Menards Daniel Ralph Herrera, No.3., then blocked the doorway and refused to allow plaintiff to leave located at 5487

Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

36. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of them Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

37. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL §764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

38. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the

Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

39. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff

to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

40. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL §

750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

41. Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store

again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal search, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

42. Defendant Norton Shores City Administrator Mark C. Meyers, No.8., on December 30, 2020, had requested Norton Shores Police Chief Jon Gale, pursuant to the plaintiff's December 24, 2020, E-Mail to direct Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., to conduct an investigation into Defendant Norton Shores Police Officer Peyton E. Haney, No.5., denial of the plaintiff's First Amendment Rights to Petition the Government for the Redress of Grievances when she failed to include all the Defendants Names who seized and searched the plaintiff in violation of the Fourth Amendment on December 9, 2020, and took part in the illegal apprehension and arrest of the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., who then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

43. Defendant Norton Shores City Administrator Mark C. Meyers, No.8., on December 30, 2020, had requested Norton Shores Police Chief Jon Gale, pursuant to the plaintiff's December 24, 2020, E-Mail to direct Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., on January 7, 2021, directed and aided and abetted the Defendant Norton Shores Police Officer Peyton E. Haney, No.5., and assisted the both of the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest after Defendant Norton Shores Police Lieutenant Marc D. Vanderstelt, No.7., contacted the plaintiff on January 4, 2021, once the above named Defendants arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., who then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure, in which a

reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

44. Defendant Employee of Menards Jennifer (a.k.a. Jen) Last Name Unknown, No.9., on December 15, 2020, wrote a statement and libeled and slandered the plaintiff in violation of MCL § 600.2911(1), and accused the plaintiff of **SEXUAL HARASSMENT** on October 2, 2020, as stated on January 7, 2021, by Defendant Norton Shores Police Lieutenant Marc Vanderstelt, No.7. : ***"The Norton Shores Police Department did not receive any report of HARASSMENT by Mr. Jones from Menards before this report."*** To aid and abet the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest that violated the plaintiff's First Amendment Rights to Petition the Government for the Redress of Grievances, to Peacefully Assemble, (free association) to Practice his **SON OF MAN** Secular Religious Beliefs, and to be free from Retaliations once the Defendants in violation of the Fourth Amendment arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., who then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police

Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure and search in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

45. Defendant Employee of Menards Hunter Czinder, No.10., on December 30, 2020, wrote a statement in support of Defendant Employee of Menards Jennifer (a.k.a. Jen) Last Name Unknown, No.9., and libeled and slandered the plaintiff in violation of MCL § 600. 2911(1), and accused the plaintiff of **SEXUAL HARASSMENT** on October 2, 2020, as stated on January 7, 2021, by Defendant Norton Shores Police Lieutenant Marc Vanderstelt, No.7. : ***"The Norton Shores Police Department did not receive any report of HARASSMENT by Mr. Jones from Menards before this report."*** To aid and abet the Defendant Regional Manager of Security Zachary Jenkins, No.1., in the cover-up of the December 9, 2020, arrest that violated the plaintiff's First Amendment Rights to Petition the Government for the Redress of Grievances, to Peacefully Assemble, (free association) to Practice his **SON OF MAN** Secular Religious Beliefs, and to be free from Retaliations once the Defendants in violation of the Fourth Amendment arrested the plaintiff in violation of MCL § 764.16(d) at the Menards Store and placed the plaintiff in their Lost and Prevention Room with Defendant Regional Manager of Security Zachary Jenkins, No.1., Defendant General Manager Robert James Saena, No.2., Defendant Employee of Menards Daniel Ralph Herrera, No.3., and Defendant Employee of Menards Darrell James Smith, No.4., and Defendant Norton Shores Police Officer Peyton E. Haney,

No.5., who then blocked the doorway and refused to allow plaintiff to leave located at 5487 Harvey Street, in Muskegon, Michigan 49444, and falsely accused the plaintiff of Retail Fraud in the First Degree, in violation of MCL § 750.356c(1), and unlawfully restrained and imprisoned the plaintiff in violation of MCL § 750.349(b)(3)(a), and next the Defendant Regional Manager of Security Zachary Jenkins No.1., and Defendant Norton Shores Police Officer Peyton E. Haney, No.5., then Trespassed the plaintiff in violation of MCL § 750.552(2)(a), that stopped the plaintiff from ever being allowed to shop at a Menards Store again or going on to their premises to shop that violated the plaintiff's Fourth Amendment Rights, to be free from an unlawful and illegal seizure and search in which a reasonable person knew or reasonably should have known was a violation of the plaintiff's state statutory and constitutional rights.

V.

SECOND CAUSE OF ACTION

Count-II

THE PLAINTIFF SUE ALL THE ABOVE NAMED DEFENDANTS FOR FIVE HUNDRED MILLION (\$500,000.00) DOLLARS FOR COMPENSATORY AND PUNITIVE DAMAGES FOR VIOLATION OF HIS FIRST AMENDMENT RIGHTS TO PETITION THE GOVERNMENT FOR THE REDRESS OF GRIEVANCES, TO PEACEFULLY ASSEMBLE (FREE ASSOCIATION) TO PRACTICE HIS SON OF MAN SECULAR RELIGIOUS BELIEFS, AND TO BE FREE FROM RETALIATIONS, AND TO BE FREE FROM ILLEGAL AND UNLAWFUL SEARCH AND SEIZURE IN VIOLATION OF THE FOURTH AMENDMENT WHERE THE PLAINTIFF SUFFERED EMOTIONAL AND PHYSICAL DISTRESS WHEN DEFENDANTS LIBELED AND SLANDERED THE PLAINTIFF TO BE FREE FROM FALSE IMPRISONMENT AFTER BEING ACCUSED OF RETAIL FRAUD AND THEFT

46. The plaintiff adopt and incorporate paragraphs 1 through 46 by reference as if those paragraphs were fully set forth below and allege and reallege as follows:

47. The plaintiff sue all the above named Defendants for Five Hundred Million (\$500,000.00) Dollars for compensatory and punitive damages for violation of his First Amendment Rights to petition the Government for the redress of grievances, to peacefully assemble (free association) to practice his Son of Man secular religious beliefs, and to be free from retaliations, and to be free from illegal and unlawful search and seizure in violation of the Fourth Amendment where the plaintiff suffered emotional and physical distress when Defendants libeled and slandered the plaintiff to be free from false imprisonment after being accused of retail fraud and theft.

RELIEF REQUESTED

WHEREFORE, foregoing reasons the Plaintiff Larry Darnell Jones, respectfully moves this honorable court to award him Five Hundred Million (\$500,000.000) Dollars, on his First, Fourth and Fourteenth Amendment Rights and address all of his state law claims that violated due process of law.

Respectfully Submitted,


Larry Darnell Jones

In Pro Per

P.O. BOX 6653

D'Iberville, MS 39540

Ph. (517)-619-9067

June 17, 2021